

House File 160

H-1010

1 Amend House File 160 as follows:

2 1. By striking everything after the enacting clause  
3 and inserting:

4 <Section 1. CHILDREN'S HEALTH INSURANCE PROGRAM  
5 — CHILD ENROLLMENT CONTINGENCY FUND — MENTAL HEALTH  
6 AND DISABILITY SERVICES REDESIGN TRANSITION FUND — FY  
7 2012-2013.

8 1. Of the moneys received from the federal  
9 government through the child enrollment contingency  
10 fund established pursuant to section 103 of the federal  
11 Children's Health Insurance Program Reauthorization Act  
12 of 2009, Pub. L. No. 111-3, the following amount is  
13 transferred from such moneys to the department of human  
14 services for the fiscal year beginning July 1, 2012,  
15 and ending June 30, 2013, to be credited as follows:

16 To be credited to the mental health and disability  
17 services redesign transition fund created in 2012 Iowa  
18 Acts, chapter 1120, section 23:

19 ..... \$ 11,628,317

20 2. The moneys credited to the mental health and  
21 disability services redesign transition fund pursuant  
22 to subsection 1 are appropriated to the department of  
23 human services for allocation to counties as follows:

24 a. To those counties identified by the department  
25 in scenario 1 of the department's report on the  
26 transition fund submitted to the general assembly on  
27 December 1, 2012, pursuant to 2012 Iowa Acts, chapter  
28 1120, section 23, to be used to continue or restore  
29 services as provided in the application and the  
30 department's determination of the award amount:

31 ..... \$ 11,628,317

32 b. The allocations under this subsection shall be  
33 remitted to counties not later than two calendar weeks  
34 following the effective date of this Act.

35 c. A county receiving an allocation under this  
36 subsection shall remit to the department any unpaid  
37 portion of the county's obligation for the nonfederal  
38 share of undisputed medical assistance program billings  
39 incurred in a fiscal year prior to FY 2012-2013. The  
40 unpaid portion shall be remitted prior to June 30,  
41 2013, from moneys available to the county that meet  
42 federal match requirements for the medical assistance  
43 program and for the child enrollment contingency fund  
44 under federal Children's Health Insurance Program  
45 Reauthorization Act of 2009. Such requirements include  
46 but are not limited to those specified in 42 C.F.R. §  
47 433.51 and 42 C.F.R. § 457.628 and a county receiving  
48 an allocation under this subsection shall not use the  
49 allocation in any way that supports or draws federal  
50 match moneys.

1 d. A county receiving an allocation under this  
2 subsection shall enter into a formal agreement  
3 with the department concerning the allocation and  
4 shall comply with any audit requirements for the  
5 county's expenditures relating to the allocation. The  
6 department shall develop the audit requirements with  
7 assistance from the office of the auditor of state.  
8 The requirements shall provide for the county to bear  
9 the costs of any federal audit of the county's use  
10 of the allocation, including any federal repayment  
11 or penalty determination resulting from the audit  
12 findings. The audit requirements may be applied  
13 on a selective or random basis so that the audit  
14 requirements do not apply to all counties receiving an  
15 allocation. Any costs relating to the performance of  
16 nonfederal, state-only audit requirements established  
17 by the department are the responsibility of the  
18 department.

19 3. A county that applied for moneys from the  
20 transition fund pursuant to 2012 Iowa Acts, chapter  
21 1120, section 23, but was not identified in the  
22 department's recommendation for an award in the report  
23 on the transition fund shall enter into an agreement  
24 with the department for remittance of any unpaid  
25 portion of the county's obligation for the nonfederal  
26 share of undisputed medical assistance program billings  
27 incurred in a fiscal year prior to FY 2012-2013.  
28 A county that did not apply for moneys from the  
29 transition fund shall either remit any unpaid portion  
30 of the county's obligation for such program billings by  
31 the end of the fiscal year beginning July 1, 2012, or  
32 shall enter into an agreement to do so. An agreement  
33 under this subsection shall provide for remittance  
34 of any unpaid portion by the end of the fiscal year  
35 beginning July 1, 2013.

36 4. For purposes of an application for county  
37 formation of a mental health and disability services  
38 region submitted on or before April 1, 2013, in  
39 accordance with section 331.389, subsection 4, the  
40 director of human services may approve an application  
41 for a region that includes a county that is not  
42 contiguous with any of the other counties in the  
43 region, as otherwise required under section 331.389,  
44 subsection 3, paragraph "a", if the county that is not  
45 contiguous has had a formal relationship for two years  
46 or longer with one or more of the other counties in the  
47 region for provision of mental health and disability  
48 services.

49 Sec. 2. EFFECTIVE UPON ENACTMENT. This Act, being  
50 deemed of immediate importance, takes effect upon

1 enactment.>

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SODERBERG of Plymouth